



# The Universe

Brigham Young University

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Universe photo by Gerry Bybee

Dean Rex Lee was sworn in as assistant attorney general of the United States in the new BYU Law Building Wednesday by U.S. District Court Judge A. Sherman Christensen. Dean Lee chose to use a triple combination for his swearing in. Approximately 30 people were in attendance, including Mrs. Rex Lee and their two children, Dallin H. Oaks, Dr. Robert K. Thomas, BYU Academic vice president; Ben E. Lewis, executive vice president; and Carl S. Hawkins, acting law school dean.

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## Counsel offered to students

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according to Robert  
counselor with the

center, every student who comes in for any reason is asked to complete a brief, confidential information form. From this information the student will be directed to either a career counselor or a staff member who deals with personal problems.

There are equally well trained male and female counselors available to work with students and students may choose a counselor of either sex.

Typical of the staff is Dr. Burton Robinson, a clinical psychologist.

His counseling office doesn't feel clinical—it looks like any other office with a desk, two chairs and bookcases. The pictures on Dr. Robinson's wall show a drawing of a hand reaching out to a small girl standing in a field of grass and an individual walking down an urban ravine of concrete.

There was no condescending air, no sense that this is a place for sick people. "Students shouldn't feel that they need to be sick before they come for counseling. That's really not what we're all about. We're here to help the individual

develop and handle problems that come to everyone in one degree or another," said Dr. Robinson. When the student feels he can no longer handle his problem by himself, he should seek help, he said.

He explained that seeking help at the Center is not like going in for a cure-all pill. Rather, counseling is a learning situation. "Both individual and group therapy are learning tools used when a person has emotional problems. They can help them learn to be honest, to

share feelings.

There is no typical student that comes to the center reports Johnson. Sometimes it's the student who feels he can no longer handle his problem, sometimes it's beside himself because he should seek help, he said.

He explained that seeking help at the Center is not like going in for a cure-all pill. Rather, counseling is a learning situation. "Both individual and group therapy are learning tools used when a person has emotional problems. They can help them learn to be honest, to

he still doesn't know where he's headed, said Johnson.

Perhaps the most common personal problem dealt with at the center is loneliness and depression, said Dr. Robinson.

The lonely student, he said, is afraid of others; he doesn't feel adequate himself and so he's afraid to let others know him. His fears relate on a superficial level, said Dr. Robinson, but he has a low trust level, and he erects walls all around him.

## Exec Council, SDA ponder raising funds for library

The remaining \$750,000 of a \$1 million pledge toward library construction and how to raise it were discussed Wednesday afternoon in a meeting between the ASBYU Executive Council and the Student Development Association (SDA).

"It is not our job to raise

money, but rather to facilitate students' role in raising it by providing projects and opportunities to encourage the students," said Art McKinlay, Student Development Association president.

He also noted, as did several other speakers at the

meeting, that when students donate money to the library fund it frees church money for other activities. SDA Vice Presidents Jamie Johnson, Jim Christensen and Douglas G. Williams joined Ronald G. Hyatt, Executive Council president, the Alumni Association and David K. Nelson, director of the library, in addressing the student body officers.

McKinlay also noted that student participation helps in library construction because potential donors are anxious to know what is already being done to raise money at the school. He encouraged ASBYU involvement in fund-raising projects.

"The students may not be able to raise all of the \$750,000," he said, "but student activity on campus helps open up other peoples' pocketsbooks."

ASBYU officers

## ASBYU officers will visit Ma Bell

A \$16 jump in phone installation rates has prompted ASBYU officers to schedule a trip to Mountain Bell telephone company offices this morning.

The trip will place ASBYU "in a better position to make recommendations about student telephones" by "increasing our understanding of what is actually involved in installing a phone," according to ASBYU Pres. Bob Henrie.

"Some students feel that when you get a new phone installed, they simply flip a switch downtown and it starts working, but there is much more involved," Henrie said. "Naturally the phone company is anxious for students to understand that."

"But," he added, "we as student officers still have a few reservations and questions about the increases and we're looking forward to working with the phone company to resolve those." Henrie said the ASBYU officers have been very cordial and willing to meet with him.

Telephone installation rates increased from \$6 to \$22 in February. Henrie said that phone company officials have "been quick to point out that in many instances students will not have to pay the full \$22 fee if the phone is transferred to another tenant's name rather than disconnected."

The group touring telephone facilities will be composed of Henrie, ASBYU Outrammen Steve Madson,

## Air Force attacks Cambodian ships

WASHINGTON (AP) — U.S. Air Force planes destroyed three Cambodian naval vessels after the planes were fired in the vicinity of the captured U.S. merchant ship Mayaguez off Cambodia, Pentagon sources said Wednesday.

Reports reaching the Pentagon said an AC130 gunship and A7 attack aircraft were flying over the area where the ship held captive by the Cambodians was struck by the Cambodian ships with 20-millimeter gunfire and possibly other weapons.

Pentagon sources said the incident occurred near Koh Tang Island, about 30 miles off the Cambodian coast, where the Mayaguez had been captured by Cambodian forces.

Learned that U.S. Force warplanes flying out of Thailand have been ordered to prevent any efforts by the Cambodians to move the Mayaguez from its present position.

The fate of Mayaguez' 39-man crew was not known. There were reports Tuesday that Caucasians, seen being taken to the island from the Mayaguez in fishing-type boats.

Pentagon sources said U.S. Air Force rescue helicopters attempted to pick up some of the crewmen from the destroyed Cambodian boats, but that other Cambodian naval craft fired on the rescue helicopters and they broke off the attempt.

Earlier, Senate Republican Leader Hugh Scott had said he expected development in the Mayaguez crisis within the next 24 hours and hoped they might include use of "minimum force necessary" to rescue the ship's crew.

U.S. planes have been keeping a constant aerial watch on the Mayaguez, and are ready to take action orders from President Ford.

The Pentagon statement said one of the Cambodian patrol boats reached the shore despite the heavy fire from American planes.

Wednesday, the Cambodians had been attempting to move the Americans from both the ship and the island to the mainland.

As the Air Force continued its patrols

over the area in flights from Thailand, about 1,000 Marines stood by at the U.S. air base at Utapao in southern Thailand, about 250 miles from Koh Tang.

The Marines were airlifted to Utapao late Tuesday, despite strong protest from the Thai government, which has set a deadline of Thursday morning for the removal of the Mayaguez.

State Department spokesman Robert Funseth said the American Embassy in Bangkok had been in contact with Thai officials about their protest.

Funseth refused to disclose the content of the discussions with the Thai government, but he said there has been contact with the Mayaguez from Okinawa and the Philippines.

Thailand has said the United States will not be allowed to use bases in the country to operate against Cambodia or attempt to recover the vessel.



## Survey shows students favor diplomatic action

By QUINN H. PARKER  
and  
SHARA-DAWN AVERY  
*University Staff Writers*

Many BYU students would

### U. professor to talk at forum

"Sound Brass and Tinkling Symbols: The Media in America Today" will be the topic at Tuesday's forum assembly.

Dr. Victor Bailey Cline, professor of psychology at the University of Utah, will speak at 10 a.m. in the basement of the Alumni Association and the Student Development Association.

Dr. Cline is an editorial consultant and reviewer for various national psychological journals. He is also the author of several papers and articles which have appeared in both national and international publications.

"The students may not be able to raise all of the \$750,000," he said, "but student activity on campus helps open up other peoples' pocketsbooks."

Both groups said that some action should be applied to offending countries until they return the U.S. property.

Military retaliation was the answer given by 26 per cent of those questioned. These students said the U.S. should carry a "big stick" and use it when necessary.

The remaining students polled were divided into three groups. Two per cent said the

U.S. ship was in the wrong and the U.S. should do nothing.

Only one per cent said the U.S. should "wait and see what happens." The final four per cent of those polled said they had no opinion about the matter.

When asked what action the U.S. Government should take when an act of seizure or piracy is committed against the U.S.,

The comments of the students generally sounded like those of Sen. Sam Nunn, senior in health from American Falls, Idaho. "Proper diplomatic channels should be used. Find out why they took it (ship)." He added that that force should be used as a last resort.

Another with the same opinion was Carolyn Schlappi, Miss Schlappi, a senior in elementary education from Richfield, Utah, said, "Immediate action should be taken. Use diplomatic lines and try to come to an understanding. If this doesn't work, then use military action."

One student that didn't feel as strongly was Richard Williams, a graduate student in counseling from Alpine, Texas, said, "Definite diplomacy first. The No. 1 problem is to use military action prematurely."

## Inside today . . .

Development of a personal compass . . . pointing towards eternal life was the topic of Tuesday's devotional. See page 2.

Response has been favorable . . . to Universe editorial suggestion for naming of Cougar Stadium track after Coach Clarence F. Robison. See page 4.

Dateline . . . summarizes news from around the world. See page 4.

Entertainment . . . 7, 8. Sports . . . 11

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Contracts are signed for the sale of BYU's oldest buildings on lower campus to a group of property improvement developers.

The property and terms of sale were determined by the University's Trustee and the presidency of The Church of Jesus Christ of Latter-day Saints, who are members of the Board. The University has indicated that they will purchase the property for the sum of \$1.5 million. The University has agreed to vacate the buildings by June 1, 1976, and to maintain them until that date. The buildings will be sold to a group of property improvement developers.

The attraction similar to Trolley Square in Salt Lake City or Ghirardelli Square in San Francisco.

Possession of the property will be given in the summer of 1976. President Oaks said,

because of the time needed for the University to vacate the buildings by June 1, 1976, the University has required the buyers to agree to maintain

Sixth North Streets.

We see the Academy Square program as the answer not only to saving these buildings, but also to giving them a new life," said President Oaks. "The University has required the buyers to agree to maintain

the buildings by June 1, 1976, and to maintain them until that date.

The telephone installation rates increased from \$6 to \$22 in February. President Oaks said, "We are pleased to report that the telephone company has been quick to point out that in many instances students will not have to pay the full \$22 fee if the phone is transferred to another tenant's name rather than disconnected."

The group touring telephone facilities will be composed of President Oaks, ASBYU Outrammen Steve Madson,

Mike Hutchings, cultural vice president; Clark Richter, executive vice president; and a reporter from The Universe.

# Compass needed, speaker advises

By SHARA-DAWN AVERY  
University Staff Writer

Development of a personal compass, whose need points toward the goal of eternal life, was emphasized by Dr. William F. Edwards in Tuesday's devotional assembly at the Marriott Center.

Dr. Edwards, professor emeritus of business management and former occupant of the Briggs Brothers Chair in Business and Finance, told students to perfect skill in reading the compass. "Great mistakes have been made by people who were sincere but not

right," he said.

He instructed those attending to choose wisely in the proper selection of professional careers. To the women he said, "There is nothing more rewarding than preparation to a wife and mother." He said men should find a career that will let them sustain a family.

"As you climb the ladder of success, seek to strengthen your dedication to church and family," said Dr. Edwards. "Prepare yourselves to render superior service."

Dr. Edwards said students should achieve excellence in things of the spirit and of man while completing

personal compass. "We should pay the price in personal effort and seek knowledge and skill with grades as only a byproduct," he said.

The speaker said a personal compass can become important in an environment where there is a lack of freedom. "Our basic freedom is no more secure than our testimonies and our willingness to keep the commandments of God," he said.

"In order to accurately read your eternal compass you must understand the strength of the gospel," Dr. Edwards said. As a matter of policy he said, one should always be obedient to the council of the Church brethren.

Dr. Edwards said wisdom and understanding come from



University photo by Wayne Walker

Dr. William F. Edwards talks with students after Tuesday's Devotional, when he talked about the 'development of a personal compass.'

Obedience to the gospel principles. "A personal compass can lead us through the journey of this life back to the presence of our Father in Heaven."

Citing his own financial experience, Dr. Edwards said, "Success in living the gospel is closely related to how one handles personal finance. Wise money management can increase the joy of living."

The devotional speaker also highlighted the importance of paying tithes and offerings and of carefully selecting financial priorities.

According to Dr. Edwards, if a person chooses a way of life because it is a good way of life, he can live economically and be happy. The professor spoke of love, knowledge, the joy of service and the wisdom of nature, and said without them one is poor "regardless of income or total assets."

## The Daily Universe

The Daily Universe is an official publication of Brigham Young University and is published as a cooperative enterprise of students and faculty. It is printed weekly in the English language and is the organ of Communications under the governance of a Management Team and with the counsel of a University-wide Daily Advisory Committee.

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Graduate applications due by August commencement

Graduate students preparing for August commencement should be aware of important deadlines.

July 2 is the last date for a student in an MBA, MPA, or Organizational Behavior program to submit form numbers 6a and 6b to the department chairman.

July 18 is the last date for a student in a non-thesis program to submit form numbers 6a and 6b to the department chairman.

July 25 is the last day for deposition of final copies of a thesis, project or dissertation

in the Office of the Graduate Dean.

All requirements must be complete, including the submission of form numbers 10 (or form numbers 5b for written exams) to the Office of the Graduate Dean by

August 1.

## U Tech plans auto building

The Automotive Trades Building of the Utah Technical College is now under construction on the new Orem campus and is scheduled for completion and use by the fall of 1976.

Earl B. Colam, chairman of the automotive trades division, said it will serve an estimated 300 students. The building will be one-story, with a total of 92,250 square feet.

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# w program Honors told

By ART MCKINLAY

Universe Staff Writer

Program has announced changes that will take

to Dr. Thomas S. Rogers, Honors Program

program will initiate a series of sophomore oral

The interviews will be conducted by

men under the supervision of the Student

and these interviews will not affect the students'

the program, they should assist those who are

ought it to assess to what extent their purposes

not still coincide with the others in the

Rogers said.

1975, honors students will be expected to

minimum of five honors seminars and one

Learning Experience (ILE). An option to this

take six seminars without taking an ILE. All

old deal with disciplines outside the general area

it's major, according to Dr. Rogers.

students will be electing to do an ILE, an

ILE needs to be defined. "There is virtually no

individuals major field; however, whatever the

arch or creative it ought to pose a single,

problem.

tion of the problem should entail the student's

ability to synthesize, and result in significant

new insight of a non-self-evident kind," Dr.

y announced preferred grade point ranges,

Dr. Rogers will be as follows for honors:

Highest Honors: 3.85-4.0, High Honors:

Honors: 3.5-3.69.

ent to the Honors Guide 1975-6 with corrections

al information will be available May 26.

## ocation occurs ampus housing

x students are  
ated in Desert  
Heritage Halls to  
BYU branch  
ions and to  
students in the  
ng to Deyle  
ctor of housing,  
nts are being  
in fill positions  
fifth and Tenth  
ordinate very  
with the BYU  
Barton said, "and  
is helping the

boy-girl ration in the Fifth  
and Tenth Stakes."

The Desert Towers 16  
is located between  
Barton said. He explained one  
or two buildings are used for  
students during the spring  
and summer terms. This year,  
only one building is being  
used for students. The others are used to house summer  
conference visitors, Barton  
said.

Students being moved are  
those who lived in S-Hall  
during the fall, Barton said.

## vities planned organizations

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ial Spring Term  
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n and sign up  
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May 1975

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Sincerely,

Bill,  
Debra,  
and  
Sonnie

## Clarence Robison Track

## Name gets support

By DIANE LOFGREN  
University Staff Writer

Favorable response to The Universe's editorial suggestion that the Cougar Stadium track be named the Clarence F. Robison Track was voiced by some members of the Athletic Department administration faculty.

The editorial last Thursday related the many contributions made by Head Track Coach Clarence Robison, including leading teams to 14 conference championships. It recommended that the BYU track be named the Clarence F. Robison track in his honor.

When queried by The Universe, Clayne Jensen, dean of the College of Physical Education, said he thought the matter was worth considering and that he planned to take up the suggestion with the appropriate members of the central administration committee and the Board of Trustees.

However, Jensen said, "The Universe shouldn't conduct a campaign for or against the naming of the track. If the board thinks it's the appropriate thing to do, it will do it; if not, it won't."

Dr. Phyllis Jacobson of the women's physical education faculty responded that, "When I think of track and field at BYU or even in the state of Utah, I think of Clarence F. Robison. If there is anyone worthy of having a track named after him, it's Clarence." She also noted that, "It's a beautiful track worthy of a name."

## Dateline

By The Associated Press

## U.S. asks United Nations help on ship

UNITED NATIONS, N.Y.—The United States on Wednesday requested U.N. Secretary-General Kurt Waldheim "to take any steps within your ability" to get the new Cambodian government to release immediately the seized American freighter Mayaguez and its crew.

## Cambodians seize second ship

BANGKOK, Thailand—The Cambodians seized another foreign merchant ship, of Panamanian registry, today but freed it after nearly two hours, Thai communication sources reported.

## Utah has lieutenant governor

SALT LAKE CITY—There was no election Tuesday, but Utah now has a lieutenant governor nonetheless. Secretary of State Clyde Miller gained the added title of lieutenant governor under a law enacted by the 1973 legislature.

## United States to cut embassy staff

WASHINGTON—The United States will begin cutting the size of its embassy staff in Laos by the end of this week because of the danger to Americans, the State Department said Wednesday.

## Peru government seizes oil stations

LIMA, Peru—The Peruvian government has seized the Gulf Oil Corporation's filling stations, believed worth several million dollars, in retaliation for a bribe report.

The action gives government-owned PetroPeru a monopoly on marketing petroleum in Peru.

Though Athletic Director Stan Watts was out of town at the time the editorial ran and said that he had not read it, Watts thought giving the track honor of Coach Robison would be a good thing."

"Coach Robison has been here for a number of years and done a tremendous job," responded track team member Richard George.

Under Coach Robison's 26 years of leadership, BYU track and field has also won two individual ACC titles, shared a NCAA team championship, finished among the top 10 of the last five years in NCAA championship meets and taken five trips to Europe for international competition.

A native of Utah and former track star at Millard High, Robison set conference records in the mile and two-mile events. He capped his running career as a member of the 1948 U.S. Olympic Team.

## Fair participation involves learning

At the Pursuit of Excellence Fair this Saturday at 7:30 p.m. in the Richards P.E. Building, people will learn by doing rather than being told.

That's what Rebecca Juarez, co-chairman of the fair, says as committees are preparing to build and paint a treehouse for a local charity, run relay games, hold arm wrestling contests and conduct interpersonal encounter projects.

The object is to "explain the church's Pursuit of Excellence Program and get people excited about it," according to Miss Juarez.

The carnival will be held in several different rooms in the Richards building, and will be divided into presentations at different booths.

Each booth will explain a different aspect of the Pursuit of Excellence Program, which is divided into three categories:

(1) physical, (2) character building, (3) spiritual, and (5) intellectual, and (5) community service.

Some BYU students have been swimming in a potentially dangerous area, a pond created by water that is pumped out of the mine he explained. The ponds are contaminated with both cyanide and traces of lead, he said.

A portion of the water is used to operate the mill where the ore is concentrated. Cyanide is put into the water at this time to help the process, Nielson said.

The lead ore also puts traces of lead into the water, he explained.

"If a person were to swallow the water," he said, "it could make him sick."

The water also forms mineral deposits in the ponds, according to Nielson. The sharp edges of these deposits could cut a person.

"The water is potentially dangerous," he said, "and it just isn't a safe place to swim."

The Burgin Mine is the Tintic Division of Kennecott Copper and is located between Eureka and Elberta.

Nielson said the BYU students and high school students from this area have been swimming in the water.



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# First law review available Friday

By JOE HAMMER

*University Staff Writer*  
First issue of the "Brigham Young Law Review" will be available for Friday.

Assistant law professor first issue's editor-in-chief, said at the law school has approximately

scriptions to its review. He said the shooting for 1,000 subscriptions by the first year.

of the law schools buying

the law review include Yale

Law, Harvard Law School, and the

Chicago Law School.

Subscription cost is \$15 for one year.

To get a subscription to the review write to: Brigham Young Law Review, c/o J. Reuben Clark

Memorial Hall, Brigham Young University,

Ithaca, N.Y. 14853.

He said all major law schools in the

have a law review, but he said

review was unique because it

so near the founding of the law

He said this first issue will contain five

two comments, 13 case notes and

12 reviews.

Announcement said the first issue was

by the faculty, but all future issues

under student supervision.

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## Program centers on prevention Indians offered services at Y

"Lady Take Care," a precautionary program for women and girls, is a continuing service offered by the Orem Police Department.

According to Orem Police Chief James Simmons, the program was initiated at the beginning of the year and has operated for about four months now. The program was started because of the increase in the number of rapes and assaults on women, he said.

We trained three of the women in our office, with FBI help, to run the program, he explained. "Lady Take Care" consists of a film, slides and verbal presentation.

The program is one of prevention," Simmons said. "We try to tell the women what they do to prevent their situation in which they might be assaulted rather than instructing them on physical defense.

The program is presented by three women who have been trained to tell the women what they do to prevent their situation in which they might be assaulted rather than instructing them on physical defense.

The three women presenting the "Lady Take Care" program are Jean Baumgartner, police captain and secretary; Anita Hall, a youth bureau worker; and Sandy Johnston, dispatcher for the Utah County Sheriff.

The program has been presented at high schools, church youth groups' clubs, and relief societies to a total of over 3,000 women and girls, Simmons said, and it appears to have been "well accepted."

BYU clubs and organizations can schedule the program but Orem residents have first priority, he said.

## Y grad named

## to 'Post' slot

Former Universe staff member Kathryn B. Jenkins, daughter of assistant professor of speech Dr. R. Jenkins, began a career as a newspaper reporter for the Washington Post this week.

Miss Jenkins has been assigned to the federal beat where she will cover political news, news conferences, as well as rewrite stories submitted for publication.

Her career began when she was encouraged by her mother to write and express her feelings in a diary. Her journalistic experience started in her junior high school newspaper.

She later became Orem High School editor of "Tiger Talk," the school's newspaper.

Another high school experience which prepared Miss Jenkins for her position on the Post was serving as a member of the debate team. "I always enjoyed the debate team that I developed a real interest in politics," she said that this interest grew as she read U.S. News and World Report.

Miss Jenkins maintained her involvement in both politics and news reporting while at BYU. As a freshman she was a member of the debate team as well as copy editor on the Universe.

While Miss Jenkins was working for the Universe, she became convinced writing was what she wanted to do most.

She served on the Universe staff for six semesters as copy editor, assistant news editor, assistant sports editor, and Monday Magazine editor.

Dallas Burnett, chairman of the College of Communica-

By LISA BROWN

*University Staff Writer*

Opportunities and services offered to Indian students to aid them in their educational pursuits on and off campus.

The objective of BYU's Indian Education Program, directed by Thomas Sawyer, Programs and Activities Coordinator for the Indian Education Department, is to create self-confidence and self-esteem through the study of their rich culture and history for the often alienated student. Through these programs the university hopes to decrease the general lack of self-awareness of the Indian student.

Two prominent groups on campus are The Group on Generations and The Tribe of Many Feathers. The Lamantane Group is a performing group which has already toured the U.S., Canada and Europe. The Tribe of Many Feathers is an organization which represents the Indian student government.

Support from individual foundations have enabled BYU to sponsor an assistance program for agriculture and home management. As a result of this program, 6,390 previously uncultivated acres were cultivated in 1973, resulting in an estimated value of \$272,800. The program developed 71 projects in cooperation with 30 tribes and 14 states and provinces, Sawyer said.

Teacher Training Programs were set up to provide certified teachers on the reservation in their reservations schools. BYU has met this challenge by providing adequate seminars for the staffs in these school districts, Sawyer said.

The benefits for such a program are that the educators gain a sensitivity to the Indian student requires as well as an appreciation for the customs and traditions. The students are exposed to successful "role models" of the Indian teacher.

BYU is currently developing a program for educating more Indian students in public health. Areas included are alcoholism, mental health, nutrition, and sanitation.

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campus are The Group on

Generations and The Tribe of

Many Feathers. The Lamantane

Group is a performing group

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previously uncultivated acres

were cultivated in 1973,

resulting in an estimated value

of \$272,800. The program

developed 71 projects in

cooperation with 30 tribes

and 14 states and provinces,

Sawyer said.

Through increased Indian

awareness, the University has

been better able to create

opportunities that are useful

and can be applied effectively

through an educated staff,

Sawyer said.

There are several pro-

grams of economic de-

velopment on reservations

which are the native Ameri-

cans becoming an econo-

mically independent citi-

zens. Those programs have

produced good results and

shall be continued to be

improved and instigated.

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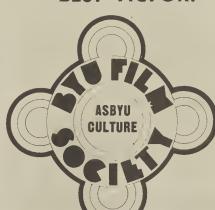
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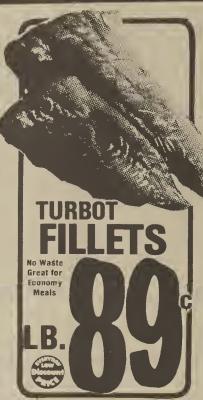
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# sunshine Express will leave six week USO tour in June

By RON BITTON  
University Staff Writer

The Sunshine Express will be the only BYU overseas USO tour sent by the Department of Defense (DOD) this year. The trip, scheduled to begin the first of June, will last six weeks.

According to activities adviser, Klia Worsley, the group will consist of five members. They are Robin Luck from Neola, Utah; Cindy Pearson from Knoxville, Tenn.; Diane Anderson, Provo; Lana Palmer, Mesa, Ariz.; and Ric Tolboe, Stockton, Calif.

An exact itinerary indicating where the performances will be known according to Mrs. Worsley, but the locations suggested for the tour include Hawaii, Philippines, Japan, Guam and Okinawa.

Worsley said that since U.S. troops are in Thailand for a year, there is a chance the group will go there, too. She added that the five will perform in service clubs, theaters, radar sights, on ships and anywhere the

DOD decides to send them. The tour will be the first overseas traveling done by the Sunshine Express group, which is only two years old, is sponsored by the Cultural Office and booked through Program Bureau.

Sunshine Express plans to sing their own arrangements of modern contemporary music during the tour. A few of the songs they will sing are "Laughter in the Rain," "Come You," "Have You Never Been Mellowed," "Only Yesterday," a 20's medley and a 50's medley.

Speaking of the group's professionalism, Worsley said, "These kids are better than anybody I've ever taken on tours."

In the past, the singers have traveled only on short tours. Their last tour was to Washington on April 17.

**New name  
for dances  
explained**

A recent survey conducted by the Social Office showed the majority of BYU students do not understand the meaning of "contemporary dance," the new term for Social Office dances formerly designated as rock or rock 'n' roll.

Ed Ellmers, chairman of the Central Dance committee said, "Contemporary dances sponsored by the Social Office feature such groups as Honey and Soul and the English Lincoln Band. The music is essentially the popular, progressive music of today."

When asked what they thought a contemporary dance was, the most common response from students was "The kind of dance where you do the foxtrot and the cha cha."



Members of Sunshine Express perform in preparation for U.S.O. tour this June.

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presents  
magician

Could there be another Hail Mary? Come to the Concerts impromptu this Friday and see for yourself, said Mike Hutchings, Culture Office vice pres.

March 24 was the 101st anniversary of student birth. To celebrate it, Bryll A. Schultz jumped while handcuffed and chained into Utah Lake. This was filmed by KCPX Television and will be shown at Concerts impromptu Saturday night at 8:30 p.m. Schultz will also perform some of his outstanding feats, said Hutchings.

While in Germany on an LDS mission, Schultz performed in such cities as Bremen, Oldenburg, Hannover, Hamburg, Celle, and Rendsburg. He has been performing since he was 11 and was recently elected into the World Society of Magicians. The Society of American Magicians. Ideal for work to be printed, duplicated, or copied. 2200 has wide carriage, many convenience features.

This semester Concerts Impromptu is trying to headline one act each week, said Hutchings.

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# Pianists: interpretation, feeling



Ann Christensen, a senior from Orem in piano performance, looks seriously at the keyboard.

By BARRY LYNN RISHTON  
University Staff Writer

Is there a difference between a piano-player and a pianist?

"Some pianists speak with their head and hands, others with their heart," said Ann Christensen, a senior in piano performance from Orem.

She said that beyond the technical ability of a pianist, the feelings and interpretation of that music is what makes an artist.

Doug Humphreys, from Idaho Falls, junior in performance agrees with Miss Christensen. "It is the difference between being a piano player and being a

pianist."

There has to be a certain drive that one puts into music, said Humphreys. "I think most concert pianists are trying to express their feelings."

The pianist agreed that music is a learning and a growing experience which involves areas outside music performance from Orem.

"For five years or so I had been totally music-involved," said Marilyn Collard, a senior in piano performance from Idaho Falls, returning to the time she spent at Peabody Music Conservatory.

Now at BYU, Miss Collard justifies her reasons for being here, "I have to learn other things besides piano."

Robert Smith, music

professor who teaches piano performance, said, "Students should have a broad background in letters and humanities."

A common problem among piano students is "they want everything to come easy and fast." He said that it takes a long time, and good technique, to make a performing artist.

"We are born with innate abilities," he said. He wants to help piano students to assess the ability which they have.

Smith said some people have a natural ability to become a concert pianist, while others do not. His goal as a teacher is to develop each student to their utmost ability.

**Program looks back**

**at Beatles**

"A Salute to the Beatles," a full review of the life and art of the four Englishmen who helped create an epoch in world culture, will be shown on "Wide World Special" on ABC-TV next Wednesday.

With David Frost as the host, the program will feature John Lennon, Paul McCartney, George Harrison and Ringo Starr, individually and as a group. Film recollections of their concert appearances, as well as a look at the "Beatlemania" that swept the world, will be included in the tribute.

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## Art show ends this week end

By BARRY LYNN RISHTON  
University Staff Writer

The opening art show in the ELWC art gallery will conclude its display this Saturday.

Gary Cramer, a graduate student in art from Orem, is presenting works which range from charcoal to oils in still-lifes and portraits.

Cramer said his best works are his still-lifes, which he feels are realistic yet do not lose their artistic value. "I think the best thing to do is get as close to a resemblance as you can without copying," he said.

Currently, he thinks his best work is a five-by-four-foot painting of apples which is oil painted on a masonite board. "I prefer masonite because it is easier to build the paint up on," he said.

Cramer prefers oils over acrylics as a medium in his work. "I like wet oil, and oils I can leave for some time and they won't dry out." He explained that oils are organic, and not synthetic, acrylics.

Most of Cramer's portraits are somber. His works include charcoal and oils some of which are self-portraits such as "sight." "Usually the portraits are kind of somber, because they look more natural that way," he said.

Other works included in the show are a hooked rug which Cramer made himself, and many modernistic paintings in oils. "I like to fool around with different ideas," said Cramer.

One painting, a modern still-life done in oils, has the shadows of the objects contrary to the other shadows in the painting.

Friends of Cramer encouraged him to display many types of paintings which are not still-lifes. The show is diversified, with varying styles and moods.

Cramer doesn't classify himself into any school of painting, but said he likes impressionists.

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Dr. Cline is a Professor of Psychology at the University of Utah, and author or editor of many papers and books, including *Where Do You Draw the Line—A Exploration into Media Violence, Pornography, and Censorship* (BYU Press)

The forum address "will deal with the media—primarily books, magazines, movies, and television—and their power to change values and influence behavior for good or evil."

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Chief George narrates

# Disc features Indian

By KIRK ENGLEHARDT  
University Staff Writer

Several BYU students, with the help of faculty and alumni, were directly involved in the production and national promotion of a record album about the American Indian.

The album, "Proud Earth," features Chief Dan George as a narrator and music by former BYU student Arleen Nochimson, Williams and BYU student Rick Brosseau.

The album is being produced by Stan Bronson, a BYU graduate, with technical assistance by John C. Rainer, a faculty member from the Indian Education department.

"Proud Earth" is being produced using an innovative concept to convey the message of the Indian. "We are using the universal language of contemporary music and English to communicate with the world," Stan Bronson said.

Contemporary music belongs to the American Indian as much as anyone else, and Indians want to be tied strictly to their traditional language and forms of music.

"The purpose of the album is to show that the Indian is the same as everyone else and that he wants to be part of the outside," he said.

"Proud Earth" contains four basic themes that represent beliefs or concepts of living. The concepts of brotherhood, environment, love of family and administration for God are conveyed through song and narration.



Chief Dan George appears with a film-making class as it produces a commercial sequence that will be used to promote the record "Proud Earth."

Chief Dan George received acclaim from the movie "Little Big Man." He won an academy award nomination as best supporting actor for his portrayal of an Indian chief.

The music was recorded in Nashville, Tenn., by both Brosseau and Miss Williams.

Miss Williams is known for her singing of music as well as her singing.

Many of Miss Williams' songs have been performed by the BYU Lamanite

Generation. She also toured and film-making, made a TV commercial to be used nationally to promote the album.

## Book sale successful for SDA

## Honors given to BYU Press

The BYU Press has been accepted as a member in a special election of the Association of American University Presses, BYU officials were informed last week.

The AAUP, considered the most prestigious organization among university presses, has over 68 members located in the United States and Canada. BYU is one of the only seven western universities in the association.

In April, it was admitted to AAUP. BYU Press joins such presses as those from Brookings Institute, University of California, Cambridge, Harvard, Johns Hopkins, Princeton, MIT and Yale. Among AAUP's several international members are Edinburgh University, National University of Mexico and University of Tokyo.

Aerial combat began in April 1917, and American and Allied pilots started shooting at each other with rifles and pistols, with negligible results.

"Membership of Brigham Young University Press in this Association is recognition of

## Activities

## announced at hospital

Hospital employee hobby displays, tours and free blood pressure checks for the public are among activities planned for observance of National Hospital Week at Payson Hospital this week.

Hospital Administrator Harold Harmon announced the fourth annual "Hobby in the Lobby" designed to better acquaint employees and the public with each other. Members of the Ladies' medical staff and employees will display hobbies during the special week. The public is invited to participate.

Fourth grade students in the immediate area have been invited to tour Payson Hospital according to hospital officials. Parents have also been invited to make an appointment for a tour through the hospital, he added.

During the tour Payson Hospital reminds the public of the blood pressure test. Those interested may report to the emergency room, where a nurse will administer the test. If the test is abnormal, the person will be notified to contact his personal physician for further tests and recommendations.

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A group of faculty and students from the geography department at BYU have taken part in the national convention of the "American Association of Geographers" in Milwaukee, Wis.

Nine students and three faculty members from BYU participated in the week long exposition.

Dr. Lloyd Hudman, Dr. Richard Jackson and Dr. Alan H. Grey led the tour group as they noted geographical areas in the Wisconsin cities.

While at the convention, Dr. Hudman presented a paper with his findings on "outdoor recreation" that dealt with those parts of the country that are generally effected by recreation.

After the convention, the group went to Chicago, where they saw the land use planning of high and low income sections of the nation's third largest city.

The students were able to see many different ethnic areas in Chicago. They also viewed the geography department at the University of Chicago.

Visiting sites at Nauvoo, Ill. and famous Hannibal, Mo., the students toured an auto assembly plant.

Dr. Hudman, acting chairman of the geography department, said the tour included all phases of geography and it was rewarding for the students to get out and observe their topic in the field.

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# Women's bowling team places 7th in nationals



Sue Taylor, BYU women's team bowling captain, demonstrates her style on the lanes.

of individuals. Also present were the top professionals who played a tournament that followed the college Tournament, Bown said.

## Miller makes comparison between golf, life at fireside

ACY N. TIPPETS

NSIDE, CALIF., during winner of the Tournament of one, Johnny Miller popular figure at the ac held the last week at La Costa resort, north of San Diego, his performance on the course was up to par this stay for the ent. Miller was the speaker at a special sponsored by the Stake and the a San Diego Mission, received an invitation to the San Diego to be invited to attend admitted by ticket accompanied by a member. The night of residence of 600 church friends waiting Johnny Miller talk what he values not golf, but the gospel and The of Jesus Christ. He has made several vision between golf "The fairway is like a tight and narrow life," he said. "The better you have helps to a lot of potential ns, and the same applies to everyday life." Miller can encounter unexpected ons, and is not always to control the tances affecting his Miller made this explaining why a



Johnny Miller...pro golfer professional golfer's score can fluctuate drastically. "The same thing happens in life," he said. "All you can do is try your best to overcome obstacles as they present themselves, and avoid the mistakes of a counter-productive attitude and behavior problems."

Asked how he feels when he doesn't play as well as would like, Miller said: "When I walk off the ground I stop thinking about golf, because I owe my family just as much effort in being a good husband and father as I try to be a good golfer in my professional life."

"Golf isn't the most important thing in my life. Whether or not I shoot a 61

on 18 holes certainly isn't going to get me where I want to go unless I do other things too," Miller said.

Discipline and knowledge are two elements Miller emphasized throughout his remarks. These qualities are as important in life as they are to a pro golfer, his ability to control anger and disappointment is a vital lesson for any person to learn and apply in his life if he desires to live happily."

Miller explained that it is necessary for people to sacrifice some things in order to achieve their goals. He mentioned the events of his own youth, and how he had to miss many things focus fully on his golfing.

Knowledge, and using it properly, is another key element of success. Miller discussed, just as knowledge of the gospel and commandments is a necessary prerequisite to salvation, so is knowledge a valuable asset in any activity of life.

"To improve my golf, I have to always improve my knowledge and its application to the game," the pro golfer said.

"Golf isn't the most important thing in my life. Whether or not I shoot a 61

## Ali picks KO time: 8th round

LAS VEGAS (AP) — Heavy-weight champion Muhammad Ali worked out Tuesday night, a stone's throw from the slot machines and gaming tables at a resort hotel and said he had that old feeling.

The champion's feeling is for prosperity, not for

"I'll knock him out in the eighth round," said Ali of Ron Lyle, whom he will fight here Friday night. "I just got a feeling like I used to get. In round eight I'm going to go all out."

Ali has not made a round prediction in several years but noted "out of 18 predictions I have picked 13 right on the round."

There is no betting line on the outcome of the fight, present, but there is wagering on whether Ali will knock out the ex-con from Denver.

Ali also has changed training methods for this fight, instead of staying at camp in the Pennsylvania woods as he has for his last several bouts, this time he trained in Miami Beach and in Las Vegas.

"I need too many helpers," he said to the crowds that surrounded him at his Deer Lake Pa. camp. "I'm gonna have to fire half of them. There are too many people bothering me, too many hangers on."

### Soccer meet dated Friday

The BYU soccer team will meet the University of Montana Bobcats this Friday at 6 p.m. on Hays Field.

The line-up for the Cougars will consist of a number of freshmen players. The newcomers will play as goalkeepers; Von Black in the defensive line; Emmanuel Adeleke, from Nigeria, who started soccer at the age of five; and Ron Taite, a defender back from England, said Soccer Coach Jim Dusara.

Along with these newcomers, junior James Buffington, who played soccer before he went on to BYU, will be added to the forward line. These newcomers join Y soccer veterans George Bowie, Owlos Alverez, Cres McTavish, Hans Henchen, Brig Ord, Craig Jacobs, Clark Fleming, Antonio Merino and Patricio Haddad.

Miller explained that it is necessary for people to sacrifice some things in order to achieve their goals. He mentioned the events of his own youth, and how he had to miss many things focus fully on his golfing.

To improve my golf, I have to always improve my knowledge and its application to the game," the pro golfer said.

"Golf isn't the most important thing in my life. Whether or not I shoot a 61

on 18 holes certainly isn't going to get me where I want to go unless I do other things too," Miller said.

Just as knowledge of the gospel and commandments is a necessary prerequisite to salvation, so is knowledge a valuable asset in any activity of life.

In the 1974 American Legion baseball championship, the Cougars won 18 of its last 20 games and clinched their ninth straight Northern Division title.

Coach Glen Tuckett said he is pleased with the progress made by his team in the last month and is optimistic about BYU chances in the NCAA.

# Sports The Daily Universe

## Karl Tucker calls golf team 'the best we've ever had'

"This year's golf team is the best we've ever had," says Golf Coach Karl Tucker.

The team proved him right in last week's Western Athletic Conference Championship played Saturday.

In their fifth straight tournament victory this year, BYU's golfers overpowered their nearest opponent by 17 strokes to win the 54-hole WAC championship tourney with a 12-under-par 852. "The win also brought them the seventh WAC championship in the last ten years."

Mike Reid, BYU junior who was named to last year's All-America team finished first in the tournament with rounds of 68, 69 and 69. Jim Neford was fourth with a 214 total for the three rounds; Pat McGowan and Mike Brannan tied for sixth with 225 strokes

each.

Arizona State finished second in the tourney with a team score of 869. They were followed by New Mexico with 884; Utah, 891; Wyoming, 904.

The Cougar golf team has been the national spotlight all year. They have been rated among the top 10 teams all season and are currently rated fourth. Coach Karl Tucker commented that with last weekend's WAC tournament victory they will probably move up in the ratings. "We are probably two teams plus us as well as we are right now, Wake Forest and Florida."

The Cougars will have a chance to meet these and other top-rated teams in the NCAA tournament to be played June 24-27 in Columbus, Ohio.

## Track coach inspires BYU distance runners

By CHRISTER LYTHELL  
*University Sports Writer*

There is one man who has added more strength and endurance to the BYU track and field team during the last 13 years.

This man is Coach Sherald James, who has been in charge of the distance runners in the cross country team since he joined the BYU faculty in 1962.

Coach James was born in Spanish Fork in 1933. This is also where he grew up and went to high school. He started his career as a distance runner at a prep school. "I was a self-coached runner because I was the only member of the track team," Coach James said.

In 1952, Coach James came to BYU to take his degree. When he graduated he started to teach and coach in Idaho in 1960-62. In 1962, he got an offer from BYU to become the head cross country coach, assistant track coach and an health instructor, which he accepted.

Coach James has been successful in his coaching career here at BYU. He has coached 11 All American distance runners, won four cross country championships, and never finished less than second," he added.

Currently Coach James, who is married to the former Mary Ann Jackson of El Paso, Tex., is working on his doctorate. "I only have my dissertation left to get my doctor's in physical education and health," Coach James said.

Concerning the future, he said, "My hobbies and interests are all kind of sports, especially football and to have a small farming operation where we raise exotic breeds of cattle and thoroughbred horses. But most of all, I want to continue to coach track here at BYU."



Sherald James ... BYU track coach

## Coach named to aid Arnold

A California man has been appointed as another assistant basketball coach to Frank Arnold, BYU announced Saturday.

John McMullen, 35-year-old coach at Camarillo High School in California, will complete the Cougar staff headed by Arnold, who was named to the BYU post in March. John Anderson, former coach at Orem High School and Utah Tech, was selected as one of the assistants last month.

McMullen said he and his family will move to Provo as soon as he can complete his assignments at Camarillo High.

"John definitely has the credentials, has a real knowledge of the game, and also has experience raising young people," said the BYU coach. "His background will definitely help our program."

McMullen is a 1962 graduate of San Fernando Valley State, now California State at Northridge, and launched his career at St. Genevieve High in Panorama City as basketball and track coach.

Moving to Thousand Oaks High, his JV team posted an 18-4 record before he joined the staff at Camarillo in 1968. His seven-year record at Camarillo produced a record of 133-52.

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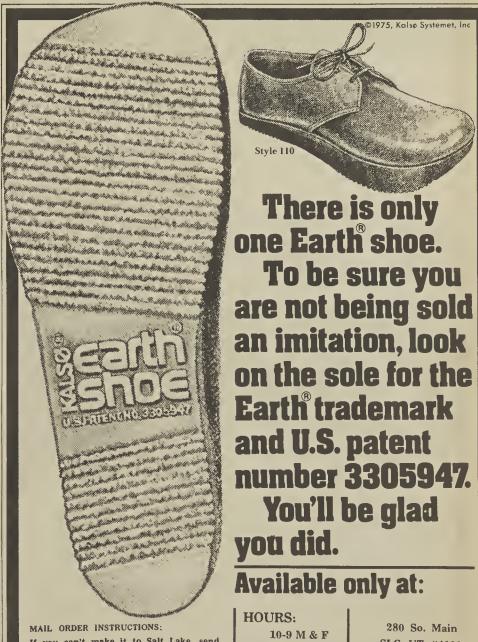


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## Spring, summer sports scheduled

calendar for men's intramural spring sports is as follows:

Term Events	Entries	Entries	Play Begins
Open	Spring	Close	
I (Slow Pitch)	May 3	May 7	
II (Slow Pitch)	May 28	May 7	
Boys Singles	April 28	May 5	
II (Coed)	April 28	May 7	
Singles	May 3	May 13	
III (Coed)	May 9	May 13	
IV (Coed)	May 19	May 23	
Ball Singles	May 19	May 23	
Ball (Coed)	May 26	May 30	
Tennis (Coed)	June 9	June 13	
Softball (Executive Course)	May 19	May 27	
IV (Coed)	May 27	May 31	
Director's Orientation for Summer Term			June 11

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# Park change okayed

By JOLENE MCBRIDE  
University Staff Writer

Moving the Utah State Park gate facilities further east, closer to the Corlessen Bridge, was approved by the Provo City Commission at Tuesday night's public hearing.

The new location will be on the park just north of the gate (Boat Harbor Drive) with a road running north from the bridge to the county road, Harold Tippets, director of Utah State Parks and Recreation, said.

The new road, he said, is "crucial to the development and management of the park" since it is now impossible for county maintenance people to park to avoid waiting through the influx of paying park visitors.

Provo Boat Club members protested changes, claiming a previous agreement to give their club a site in the park should be kept "before more concessions are given to the state," according to Cullen Y. Christensen, Boat Club member.

He said the state has been "dilatory in living up to the initial commitments" made in 1967.

Commissioner E. Odell Miner told Boat Club members he was sympathetic to their cause and interested in seeing the engineering documents.

A goal set by Mayor Russell D. Grange was to give the "people a semblance of control and still accommodate others" and give the Boat Club members a "location to their liking."

Ted Halladay, a Provo citizen, said that if one end of the road to the water pump in the park is closed, the other should also be, to protect it from vandalism.

Glide Johnson, a farmer in the area, said the gate should be moved so the weather would be more convenient for farmers to unlock. "The farmer must be considered," he said.

Marc Shaffer, owner of a boat on the lake, complained of the greater distance from the lake to parked cars and of being prevented by the proposed tire ripper at the entrance from docking to the dock late at night.

Tippets replied that the surveillance to protect the boat which would be provided was greater than the inconvenience of parking the car outside.

## Plans laid for funeral

## Flood preparations include plans for student volunteers

The coordinated movement of equipment planned by county and city officials, as well as an offer of money from BYU, are among preparations being made for possible severe flooding in the county.

According to Utah County flood control coordinator Walt Draper, communications in a flood situation will be under the direction of James Tracy, county Civil Defense director.

"We have a list of all available equipment in the county," Tracy said. In a flood situation, the threatened community will contact the Civil Defense office and Tracy will coordinate the movement of equipment.

Each city will be responsible for providing its own power, Tracy explained. Volunteer flood fighters should contact their own city officials or local civil defense authority, he said.

"We have enough equipment available right now to move it around," Tracy said.

J. Elliot Cameron, BYU dean of

Life, has offered equipment and money from BYU if it is needed. Dean Cameron said any students wishing to volunteer flood fighting should contact their own city officials or local civil defense authority.

Tracy estimated 8-10,000 sandbags will be bought throughout the county.

"High water conditions exist in Fork and Hobble Creek," Draper said.

Springville would be directly affected by Hobble Creek floods, and farmland would be flooded by Spanish Fork Creek, Draper said.

The peak water flow in these creeks is expected in the next eight to 10 days, Draper said.

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## 59. Apartments for Rent

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1/2 bath, 100 sq ft



# Court usurps press freedom

Editor's note: The following is a summary of an article written by F. M. Dunn Burnett, chairman of the Department of Communications. The article, which is entitled "The Utah Federal Court's Ban on Sketching of Courtroom Scenes," will appear Friday in the first issue of the "Brigham Young University Law Review."

Few constitutional rights are more fragile than those dealing with the rights of free expression and protection of privacy. The history of press and speech freedom in the United States is littered with local, state, and federal laws that have violated the letter and spirit of the constitutional guarantees. Over the years the judiciary has played a major role in preserving free speech against attacks, but some courts have also taken a turn at the undermining process. A recent example of judicial infringement on freedom of the press and expression took place in the United States District Court for the District of Utah in 1969 and 1973. That attack came in the form of a 1969 order prohibiting sketching in the courtroom or its environs and a 1973 amendment thereto extending the prohibition to drawings of courtroom scenes regardless of where made.

On May 8, 1969, Utah's federal district court promulgated a general order prohibiting the taking of photographs in any form, including the making of television pictures, and the making of artist's drawings, cartoons, or caricatures in any form... in the courtroom or its environs... whether the court is in session or not." The order

## 'For centuries, sketches

### have been used to report judicial proceedings . . .'

went uncontested. On January 26, 1973, when drawings of a civil rights trial in federal court were broadcast by a Salt Lake City television station, several staff members of the station were immediately ordered into court to show cause why they should not be held in contempt of the court for violating the general order. That hearing established that the drawings had been made in the television studios from the artist's memory. The judge presiding at the hearing dismissed the show cause order but then amended the general order to prohibit the making of "cartoons, artist's drawings, caricatures, or whatever they may be called, (whether) made on premises or elsewhere."

This article will discuss the constitutionality of that order, particularly the 1973 amendment that extends the authority of the judge from the courtroom and into the community. Those who make news decisions for the press . . .

For centuries, sketches have been used to report judicial proceedings to the nonattending public. Particularly in America, sketches of courtrooms scenes have been a widely used news-reporting medium. Sketches of courtroom scenes, in particular, important to television news reporting. Severely limited compared to the newspaper, in the number of minutes and words it can employ to convey the news, the television news program compensated with greater use of sight, sound, and movement. One advantage of television news reporting is its ability to let the viewer see the news. Deprived of the use of sketches of courtroom scenes, the television news program is reduced — if it is to report the goings-on at judicial proceedings at all — to a brief shot or an abbreviated newspaper account.

Even though sketching can be reasonably unobtrusive, it has been the subject of a variety of restrictions. New Jersey was the first state to ban sketching in the courtroom. This was in 1949. In 1971 Rhode Island prohibited in-court sketching. The National

Broadcasting Company successfully petitioned the New Jersey Supreme Court in 1971 for a injunction of its sketching ban, so Rhode Island remained the only state that prohibits in-court sketching.

Other than the ban promulgated by the Utah federal district court, there is only one instance of a federal judge imposing a blanket ban on the sketching of courtroom scenes which may make publication of such sketches. In the summer of 1973, the federal government began the criminal prosecution of certain members of the Vietnam Veterans Against the War, individuals popularly known as the "Gainesville Eight," who were accused of conspiring to disrupt the 1972 Republican National Convention. During the trial proceedings, the trial judge announced orally from the bench a ban on in-court sketching during the course of the Gainesville Eight trial. When the judge became aware later that certain artists were sketching courtroom scenes from memory, he reiterated the order that "no sketches for publication of proceedings in the courtroom or its environs were to be made, even though such sketches were made not in the courtroom or its environs, but from memory." Soon after this order was promulgated, which was applicable only to the rather notorious Gainesville Eight trial, the trial judge issued a written general order imposing a blanket ban on sketches, regardless of where made, of scenes from the judge's courtroom and on publication of the same. The ban extended to all proceedings then pending or thereafter to be brought before the judge.

Appeals were taken from the court's order and from contempt convictions arising out of violations of the sketching and publication ban. A unanimous Fifth Circuit Court of Appeals, in the case of United States v. Dickenson, struck down the order as an impermissible prior restraint of the right to report news.

The initial question with which we are confronted concerns the constitutionality of the District Court's order. Sympathetic as we are to the legitimate objective earnestly pursued by the conscientious Trial Judge (preservation of an impartial jury within the local community whenever the state criminal prosecution should reach trial), we must conclude that a blanket ban on publication of Court proceedings so far transgresses First Amendment freedoms that any such absolute proscription "cannot withstand the mildest breeze emanating from the Constitution."

In constitutional contemplation there is no difference between a journalist writing down what he has previously observed in court and a journalist-artist drawing the same scene. The federal court's ban on sketching is probably unconstitutional in substance in the same type of prior restraint struck down by the Fifth Circuit Court of Appeals in Dickinson. The order there and the Utah order were framed to prevent expression, to prohibit before the fact the making of a sketch. The order in particular was not framed to counter an imminent and immediately imperiling danger to the administration of justice. The sketching ban, as a prior restraint on expression, cannot therefore, "withstand the mildest breeze emanating from the Constitution."

The order also works against the constitutional guarantee of a public trial as contained in the Sixth Amendment. Substantial authority indicates that the guarantee of public trials belongs not only to the accused and other parties to an action but to the public at large. Public trials restrain arbitrariness and other abuses of judicial power. An open forum encourages honesty in witnesses. A notified public may be able to come forth with additional and necessary evidence. And perhaps most important, public trials serve as an educational tool that operates to instill in the public confidence in the nation's system of justice.

On the issue of prior restraint, the Supreme Court of the United States has made it abundantly clear in such cases as *Near v. Minnesota* (1931) and more recently in *New York Times v. United States* (1971) that prior restraint of the press or publication is not acceptable under the First Amendment, except in the most exceptional and extremely limited circumstances. In striking down a sketching order similar to thine in Utah, the Fifth Circuit Court of Appeals said in 1974: "Before a prior restraint may be imposed by a judge, even in

the interest of assuring a fair trial, there must be 'an imminent, not merely a likely, threat to the administration of justice. The danger must not be remote or even possible; it must be immediate, 'imperil,' (United States v. Columbia Broadcasting System quoting Craig v. Harney (1947))

Thus, when a judge, in the absence of immediately imperiling circumstances, prohibits a reporter from communicating with his source, the judge's restraint constitutes an impermissible prior restriction on communication. To give an example, a federal district court judge sitting in Baton Rouge, Louisiana, ordered that "no report of the testimony taken in this case today shall be made in any newspaper or by radio or television, or by another news media."

## '... no sketches for publication of proceedings

### in the courtroom . . .

### were made . . .'

Two reporters violated the order by publishing an account of what they had witnessed in court. The result was a contempt conviction and an appeal therefrom. A unanimous Fifth Circuit Court of Appeals, in the case of United States v. Dickenson, struck down the order as an impermissible prior restraint of the right to report news.

On the basis of the court's opinion, said the court, said:

"The initial question with which we are confronted concerns the constitutionality of the District Court's order. Sympathetic as we are to the legitimate objective earnestly pursued by the conscientious Trial Judge (preservation of an impartial jury within the local community whenever the state criminal prosecution should reach trial), we must conclude that a blanket ban on publication of Court proceedings so far transgresses First Amendment freedoms that any such absolute proscription 'cannot withstand the mildest breeze emanating from the Constitution.'

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In measuring the order against the "narrowness" concept, it is difficult to identify the goals or objectives sought by the order. Rather than being motivated by concerns such as disruption, fair trial, and protection of the court, the court seems to be most concerned with reputational interests, privacy, and a potential litigant's right of access to the court. The court asserted that participants have a right to be involved in judicial proceedings without being exposed to the press. The court also asserted that the right not to be disturbed by "quoteshots" representations of their physical characteristics. It was suggested that some might not come to the courts for fear of this publicity.

Laudable as these concerns may be, they cannot sustain the sketching ban against constitutional attack.

Both in the area of libel and privacy, the Supreme Court has made it totally clear that statements must be made with knowledge of falsity or intent for public officials and public figures to recover. And for private citizens the burden of proof is on the plaintiff to establish damage. There has been such a great interest in free expression during the past decade that the traditional libel laws have been squeezed into the narrowest possible frame.

The Utah court, however, in promulgating the sketching ban, disregarded the constitutional principles of *New York v. Sullivan* (1964) and subsequent cases.

## The order there and the

### Utah order were framed

### to prevent expression . . .'

In 1947 the Supreme Court declared: A trial is a public event. What transpires in the courtroom is public property... Those who see and hear what transpires can report it with impunity. There is no special prerequisite of the judiciary which enables it, as distinguished from other institutions of democratic government, to suppress, edit, or censor events which transpire in proceedings before it.

The Salt Lake City media have failed to take legal action to challenge the local rule prohibiting the drawing of courtroom scenes. Some media representatives have advised that a reason for their inaction is reluctance to violate the order under a proceeding for contempt, and suffer a criminal conviction all for the sole purpose of testing the validity of the rule in a higher court. But a criminal contempt proceeding is not the only procedure available for challenging the constitutionality of the local rule. The television and print media representatives have available to them, as effective procedural alternatives with which to challenge the rule, either an action for declaratory judgment or a petition for an extraordinary writ such as mandamus or prohibitory. Either alternative can be used with the substance of the media to the risks of a criminal prosecution.

Yet even in the absence of these procedural alternatives, it can seriously be contemplated whether the media are justified in challenging an injunction in an unconstitutional rule, which deprives important first, fifth, and sixth amendment rights because of the possible criminal penalties violation of the rule would entail. Justice Black once observed, "If there is any one thing that could strongly indicate that the First Amendment is not dead, it is much trust in a free press. I would suggest that it would be for the press itself not to wake up to the grave danger to its freedom..." The duty to preserve the rights of a free press rests first, rightfully, on the press. The media should challenge the sketching ban.

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## Readers express opinions to editors

### 'Lollipop Park'

Editor:

This brief letter is directed to the individual or individuals who are responsible for placing the numerous Y Centennial celebration signs all over the campus and along 1650 North.

Although in my own opinion the Y Centennial signs look as though someone

had taken a large double-barreled shotgun and blew holes in each one, that is not my main reason for writing.

What I would really like to know is why are there so many signs? In my estimation, either someone or possibly some department had too much money and too much time to spend on this endeavor. I feel that

overdid what they had set out to do.

Would not two, three, or even at most 10 signs separately placed across the campus be sufficient to get across the message that BYU was celebrating its 100th birthday? As it is, walking from the library these days I feel like someone tried to create Lollipop Park and failed.

Personally, if I had my way, I'd take at least half of the Y Centennial signs down and place them in the yards of those people who thought it necessary to create so many in the first place; knowing of course that they would most certainly have to appreciate them.

R. Clayton Brough  
Provo

we are more than dismayed at the reception of us in the United States; as one Provo radio news put it, it is Niciville all over again! Recriminations lay it and the Vietnamese evacuation had been, if anything, back and forth among the American people.

Now: Americans, as well as Vietnamese are facing the future and should try to work out a present situation.

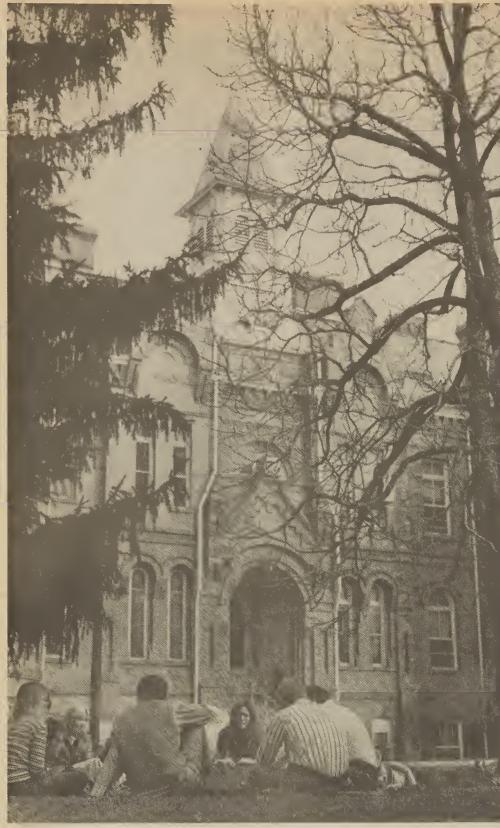
American people and government do not think they the Vietnamese refugees, the latter could be (1) tick to their country where a lively homecoming from the Communists would receive them, or (2) another country (or countries) where the people of that state and their job away.

It is also a fact giving the Vietnamese what has served its purpose; they could very well sell the metal and make some money they could go and settle down somewhere else.

pose of this letter is neither to criticize nor to the American people and their government; it to reflect and illustrate our bitterness toward the nation.

Thank you kindly for having listened to us.

—The Vietnamese Students at Brigham Young University



BYU students study on lawn in shadow of old Brigham Young Academy Building on lower campus.



Photos by Gerry Bybee

Arched windows of main building add to Academy's historic aura, but cracked masonry and broken glass show signs of age.

## ● Y sells old campus property

(Cont. from page 1)  
the structural integrity of the buildings."

He continued, "Most of the University's activities are now located on the upper campus, and the old lower campus faced us with a problem of increasing maintenance costs and decreasing use. Because of their importance in the University history, we did not want to demolish these buildings, but it was not possible to maintain them as museums. We are pleased with their prospects for a new future."

General partners of Academy Square Associates are Philip A. Brady and Christopher Jones of Denver. Mr. Brady serves as president-chairman of the board of Brady Development Company. He indicated the complex will preserve the historical character and give it a new vitality as a shopping, entertainment, and community service center.

"We have no intentions of the memories, nostalgia, and sentiment which are associated with the lower campus and we intend to preserve, restore, secure and,

communicate Academy Square's cultural heritage," Mr. Brady said.

Mr. Jones added that the company also plans to make the project of benefit to the Provo community and to develop an establishment of sound economic base to insure commercial success and acceptance.

Mr. Brady graduated from BYU in 1965 in psychology and physical education, receiving three letters of football and track and was nominated for several all-conference football teams. He played professional football with the Dallas Cowboys, Denver Broncos, and Montreal Alouettes.

Mr. Jones graduated from BYU in 1967 in advertising, public relations, and business management, and has been active in BYU alumni affairs as a member of the Cougar Club.

Albert L. Christensen, the architect, graduated from Brigham Young High School (which was housed on the lower campus) and attended BYU 1952-53, receiving a bachelor of fine arts degree in

1955 and bachelor of architecture from the University of Utah in 1961.

Existing buildings provide about 100,000 square feet of floor space, but the developers plan to expand the available area to 150,000 square feet by filling in the space between buildings.

This will be achieved by construction of a glass envelope over the entire courtyard space. Also a masonry structure planned between the Training Building and the Arts Building to link the two.

"The enclosure of the courtyard space will create a main central bazaar and plaza area, which will allow patrons to circulate easily from building to building. Two elevators and additional ramps and stairs are in the design to provide up and down movement of traffic to the three stories and some

half-levels.

Because it will be entered from all sides of the block, there will be no front and no back, but all sides will be attractively maintained.

"This will shopping in a historical setting," Mr. Christensen said. "It will maintain much of a museum quality with an alumni hall and scenes and artifacts throughout reminiscent of early days." He asserted planners will work closely with University officials and historians to insure the integrity of the buildings.

In addition to two movie theaters and a live theater, the Associates contemplate historical entertainment of turn-of-the-century type. College Hall, scene of fairs, dances, banquets, assemblies, and conferences will become a dinner playhouse with live entertainment on stage, providing Provo with a new kind of entertainment.

Present plans call for construction of the men's gymnasium on the top floor of the Training Building into a modern athletic club. Mr. Christensen foresees

employment for all persons in the Square's extensive outlet of student musical, and variety talent restaurants, clubs, theaters. He said that an patio also will be opportunity for di student art work.

Florist plans disp

Mr. Christensen provision for inter bazaar of six s addition to shop men's, women's children's clothing specialty and western wear specialty shops for su jewelry, cards, books, etc.

The Associates facility also will number of food sto as bakery, cheese health foods and deli and eating places s pancake house, stea ice cream, and can

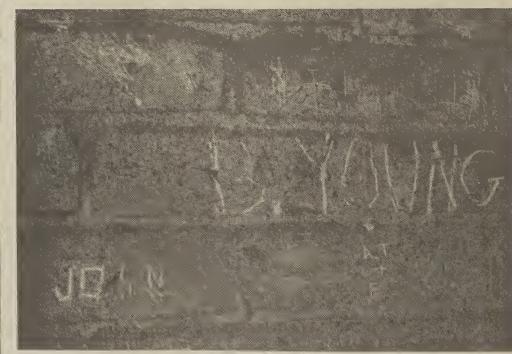
The Associates expect also to office space and serv as a drug store, opt travel agency, bart beauty salon, and cle



Old weathered "beehive" stands in center of garden in front of BYA building.



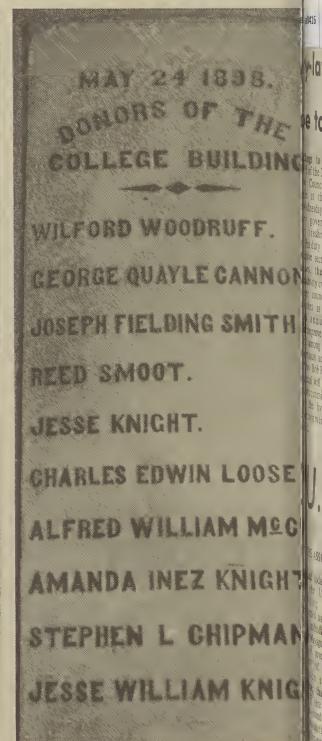
Original chairs in the old building's auditorium have seen many students come and go since they were first installed in 1890's.



Graffiti on the brick walls of old building lists name of well-known Mormon leader.



An architect's rendering shows one of the enclosed courts planned between buildings of Academy Square.



Plaque inside college building lists names of now defunct donors.